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Application ser. no. 10/716,944

MAR 14 2007
REMARKS

1. Applicant thanks the Examiner for her kind assistance during a telephone interview on March 6, 2007. During said interview, Applicant presented a claim amendment for the Examiner's consideration, wherein claim 1 was amended to describe the feature "a search component wherein user-formulated queries are saved to said matter file." Claim 17 was amended to describe "saving user-formulated search queries to said matter file." The Examiner agreed with Applicant that the claim amendments overcame the pending prior art rejections.

2. **35 U.S.C. § 102**

Claims 1-3 and 5 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. published application no. 2003/0217034 ("Schutt"). In order to describe the invention more clearly, Applicant amends claim 1 as described above. Support for the amendment is found at ¶¶ 0048-0049 of U.S. publication no. 2005/0108293.

While Schutt does describe a search function, there is no teaching in Schutt that user formulated queries can be saved to a matter file. Accordingly, because amended claim 1 describes subject matter not taught by Schutt, the present rejection is deemed overcome. In view of their dependence from an allowable base claim, the dependent claims are deemed allowable without any separate consideration of their merits.

Claims 1-2 and 16-18 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. published application no. 2003/0163490 ("Kitamura"). Kitamura contains no description at all of a search or query function. Accordingly, because amended claim 1 describes subject matter not taught by Kitamura, the present rejection is deemed overcome. In view of their dependence from an allowable base claim, the dependent claims are deemed allowable without any separate consideration of their merits.

3. **35 U.S.C. § 103**

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves

Application ser. no. 10/716,944

or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. MPEP § 2143.

Claim 4 stands rejected as being unpatentable over Schutt in view of U.S. patent no. 7,127,676 ("Linsey"). In view of the foregoing amendment to claim 1, the present rejection is deemed overcome.

Claims 6-7 stand rejected as being unpatentable over Schutt in view of U.S. patent no. 6,269,369 ("Robertson"). In view of the foregoing amendment to claim 1, the present rejection is deemed overcome.

Claims 8-10 stand rejected as being unpatentable over Schutt in view of U.S. patent no. 6,369,840 ("Barnett"). In view of the foregoing amendment to claim 1, the present rejection is deemed overcome.

Claim 9 stands rejected as being unpatentable over Schutt in view of Barnett and further in view of Robertson. In view of the foregoing amendment to claim 1, the present rejection is deemed overcome.

Claim 11 stands rejected as being unpatentable over Schutt in view of U.S. publication no. 2003/0115270 ("Funk"). In view of the foregoing amendment to claim 1, the present rejection is deemed overcome.

Claim 12 stands rejected as being unpatentable over Schutt in view of U.S. publication no. 2002/0049727 ("Rothkop"). In view of the foregoing amendment to claim 1, the present rejection is deemed overcome.

Claim 13 stands rejected as being unpatentable over Schutt in view of U.S. patent no. 6,401,097 ("McCotter"). In view of the foregoing amendment to claim 1, the present rejection is deemed overcome.

Claims 14 and 15 stand rejected as being unpatentable over Schutt in view of U.S. patent no. 5,864,865 ("Lakis"). In view of the foregoing amendment to claim 1, the present rejection is deemed overcome.

Claim 3 stands rejected as being unpatentable over Kitamura in view of Schutt. In view of the foregoing amendment to claim 1, the present rejection is deemed overcome.

Application ser. no. 10/716,944

Claim 4 stands rejected as being unpatentable over Kitamura in view of Linsey. In view of the foregoing amendment to claim 1, the present rejection is deemed overcome.

Claim 5 stands rejected as being unpatentable over Kitamura in view of U.S. Patent No. 6,571,245 ("Huang"). In view of the foregoing amendment to claim 1, the present rejection is deemed overcome.

Claims 8-10 stand rejected as being unpatentable over Kitamura in view of Barnett. In view of the foregoing amendment to claim 1, the present rejection is deemed overcome.

Claim 9 stands rejected as being unpatentable over Kitamura in view of Barnett and further in view of Robertson. In view of the foregoing amendment to claim 1, the present rejection is deemed overcome.

Claim 11 stands rejected as being unpatentable over Kitamura in view of Funk. In view of the foregoing amendment to claim 1, the present rejection is deemed overcome.

Claim 12 stands rejected as being unpatentable over Kitamura in view of Rothkop. In view of the foregoing amendment to claim 1, the present rejection is deemed overcome.

Claim 13 stands rejected as being unpatentable over Kitamura in view of McCotter. In view of the foregoing amendment to claim 1, the present rejection is deemed overcome.

Claims 14 and 15 stand rejected as being unpatentable over Kitamura in view of Lakis. In view of the foregoing amendment to claim 1, the present rejection is deemed overcome.

Claims 6 and 7 stand rejected as being unpatentable over Kitamura in view of Robertson. In view of the foregoing amendment to claim 1, the present rejection is deemed overcome.

4. No new matter is added by way of the foregoing amendments.
5. The above amendments are made in the interest of advancing prosecution of the

MAR 14 2007

Application ser. no. 10/716,944

Application and do not signify agreement with the Examiner's position. Nor do they indicate an intention to sacrifice claim scope. Applicant expressly reserves the right to pursue patent protection of a scope it reasonably believes it is entitled to in one or more continuing applications.

6. For the record, Applicant respectfully traverses any and all factual assertions in the file that are not supported by documentary evidence. Such include assertions based on findings of inherency, assertions based on official notice, and any other assertions of what is well known or commonly known in the prior art.

CONCLUSION

Based on the foregoing, the Application is deemed to be in allowable condition. As such, Applicant earnestly requests reconsideration and prompt allowance of the claims. Should the Examiner deem it helpful, the Examiner is invited to contact Applicant's attorney at 650-474-8400.

Respectfully submitted,



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